

1 PHILLIP A. TALBERT  
2 United States Attorney  
3 ROBERT J. ARTUZ  
4 Assistant United States Attorney  
5 501 I Street, Suite 10-100  
6 Sacramento, CA 95814  
7 Telephone: (916) 554-2700  
8 Facsimile: (916) 554-2900  
9  
10 Attorneys for Plaintiff  
11 United States of America

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13  
14 IN THE UNITED STATES DISTRICT COURT  
15  
16 EASTERN DISTRICT OF CALIFORNIA

17  
18 UNITED STATES OF AMERICA,  
19 Plaintiff,  
20 v.  
21 HOPELYN RHIANNON AUSK,  
22 Defendant.

23  
24 CASE NO. 2:20-CR-0204-JAM  
25 STIPULATION REGARDING RESTITUTION  
26 AND AMENDMENT OF JUDGMENT; ORDER  
27 DATE: NONE  
28 TIME: NONE  
COURT: Hon. John A. Mendez

29  
30 A restitution hearing was conducted on May 31, 2022, and the government and Defendant  
31 Hopelyn Rhiannon Ausk, by and through her counsel of record Douglas Beevers, (the “parties”)  
32 informed the Court that they reached an agreement regarding restitution. The parties also informed the  
33 Court of a clerical error in the Judgment and Commitment regarding the defendant’s term of  
34 imprisonment, and the Court instructed the parties to submit a Stipulation and Proposed Order  
35 requesting the correction.

36  
37 **STIPULATION**

38 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
39 through defendant’s counsel of record, hereby stipulate as follows:

40 1. A restitution hearing was conducted on May 31, 2022, during which the parties agreed  
41 that the defendant will pay a certain amount of restitution to particular victims. Specifically, by this

1 stipulation, the parties agree that restitution should be ordered against the defendant as follows:

Victim	Restitution Amount
California Employment Development Department (EDD)	\$166,139.00
Bank of America, N.A.	\$2,662.98
Discover Bank	\$1,400.00
Citigroup Inc.	\$1,989.99

2 6. 2. The parties will submit a revised restitution spreadsheet to the Court and Probation with  
7 the above-listed restitution amounts.

8 3. Additionally, the parties agree, and hereby move, that the Judgment and Commitment  
9 (ECF 62) and the defendant's imprisonment sentence should be amended pursuant to Rules 35(a) and 36  
10 of the Federal Rules of Criminal Procedure to correct a clerical error. Particularly, the Imprisonment  
11 section should be amended as follows, with the underlined portions being added for clarity:

12 The defendant is hereby committed to the custody of the Federal Bureau  
13 of Prisons to be imprisoned for a total term of: time served on each of  
Counts 1 and 11, to be served concurrently to each other, and 24 months  
14 on Count 14, to be served consecutively to the terms imposed on Counts 1  
and 11, for a total term of time served, plus 24 months.

15 This amendment clarifies and confirms that Court's sentence that was pronounced during sentencing on  
16 March 29, 2022.

17 IT IS SO STIPULATED.

19 Dated: June 3, 2022

PHILLIP A. TALBERT  
United States Attorney

21 /s/ ROBERT J. ARTUZ  
ROBERT J. ARTUZ  
Assistant U.S. Attorney

24 Dated: June 3, 2022

25 /s/ DOUGLAS BEEVERS  
DOUGLAS BEEVERS  
26 Assistant Federal Defender  
Counsel for Defendant  
HOPELYN RHIANNON AUSK

## ORDER

1. The Court adopts the parties' proposed restitution order and will issue an Amended Judgment and Commitment that awards restitution as outlined in the parties' stipulation.

2. The Court grants the parties' joint motion to amend the Judgment and Commitment concerning the defendant's term of imprisonment. The Amended Judgment and Commitment will include the parties' proposed amendment, which corrects a clerical error.

IT IS SO ORDERED this 3<sup>rd</sup> day of June, 2022.

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE